

REMARKS/ARGUMENTS

Claims 1 – 40 are pending in the application.

The Examiner is thanked for the indication that claims 1 – 6 and 40 are allowed. However, with regard to the rejection of claims 7 – 39, the following comments are offered.

With respect to the Esser reference, Applicant respectfully submits that pursuant to MPEP section 2136.03 III, since the International Application thereof was filed prior to November 29, 2000, this reference is not entitled to the earlier benefit claim, and an effective date as a reference only as of December 14, 1998 (see also MPEP section 706.02(f)(1), example 6).

With reference to the Branemark reference, a literal translation of DE 197 29 222 A1, Applicant's earlier priority document, which has a filing date of July 9, 1997, and thus predates the 12/31/97 publication date of the Branemark reference, will be submitted within thirty days of this amendment.

Applicant believes that he has been fully responsive to the outstanding Office Action, and as indicated above, will submit a literal translation of the earlier priority document by Supplemental Amendment within thirty days.

Respectfully Submitted,



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for applicant(s)

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